

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA

FARMERS MUTUAL FIRE INSURANCE	)	
COMPANY OF OKARCHE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No: CIV-22-752-D
	)	
HL MOTOR GROUP, INC. and	)	
OGNJEN MILANOVIC,	)	
	)	
Defendants.	)	

**NOTICE OF REMOVAL**

Defendants, HL Motor Group, Inc. (“Highlight”) and Ognjen Milanovic (“Mr. Milanovic”), by their attorneys, Lewis Brisbois Bisgaard & Smith LLP, pursuant to 28 U.S.C. §§ 1332(a) and 1441(b), hereby remove this action from the District Court of Canadian County, Oklahoma, to the United States District Court for the Western District of Oklahoma. As grounds for removal, defendants state as follows:

1. On August 4, 2022, plaintiff filed a Complaint against defendants in the District Court of Canadian County, Oklahoma, entitled *Farmers Mutual Fire Insurance Company of Okarche v. HL Motor Group, Inc., et al.* (See Exhibit 1).

2. Plaintiff generally avers that it paid for property damage sustained by its insured and resulting from an August 8, 2020 motor vehicle collision in Yukon, Oklahoma when a vehicle owned by Highlight and operated by Mr. Milanovic struck its insured’s residential property causing significant property damage and other losses. (*Id.*).

3. Plaintiff further avers that it is entitled to \$137,472.83 from defendants. (*Id.*, ¶¶6-7).

4. On information and belief, plaintiff is a citizen of Oklahoma because it avers that it “is an Oklahoma insurance corporation, domiciled in the state of Oklahoma, and maintains its principal place of business in Okarche, Canadian County, Oklahoma.” (*Id.*, ¶3).

5. Highlight is a company that is organized and existing under the laws of Ontario, Canada. (*See* Exhibit 2, ¶3).

6. For purposes of determining diversity jurisdiction, Highlight is a citizen of Ontario, Canada because its principal place of business, offices and distribution center are located in Ontario, Canada. (*Id.*, ¶4).

7. The tractor vehicle operated by Mr. Milanovic at the time of the accident described in the Plaintiff’s Complaint, was owned by Highlight. (*Id.*, ¶11).

8. The trailer operated by Mr. Milanovic at the time of the accident described in the Plaintiff’s Complaint, was leased by Highlight. (*Id.*, ¶12).

9. On August 8, 2020, while engaged in the activity described in the Complaint in this matter, Mr. Milanovic was an employee of Highlight. (*Id.*, ¶8).

10. Mr. Milanovic resides in and is a citizen of Ontario, Canada. (*Id.*, ¶10).

11. Here, there is complete diversity between plaintiff and defendants and the amount in controversy exceeds \$75,000.00 as required by 28 U.S.C. § 1441(b).

12. By reason of the foregoing, this Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1332(a). There is complete diversity of citizenship, and the amount in controversy exceeds \$75,000.00, exclusive of costs. Removal of the state court action to this Court is therefore appropriate under 28 U.S.C. § 1441(b).

13. Removal of this action is timely under 28 U.S.C. § 1446(b) because this Notice of Removal was filed within thirty days after receipt by the defendants, through service or otherwise, of a copy of the pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable. Moreover, this Notice of Removal was filed within one year after commencement of the action.

14. Pursuant to 28 U.S.C. § 1446(d), contemporaneous with this filing, defendants are serving a copy of this Notice of Removal upon plaintiff and filing a copy with the Clerk of the District Court of Canadian County, Oklahoma.

15. Defendants reserve the right to supplement this Notice of Removal and/or to present additional arguments in support of their entitlement to removal.

16. Removal is hereby effected without waiver of any challenges that defendants may have to personal jurisdiction, venue or service of process. Further, no admission of fact, law or liability is intended by this Notice of Removal, and all defenses, affirmative defenses and motions are hereby reserved.

WHEREFORE, Defendants, HL Motor Group, Inc., Highlight Motor Freight USA, Inc., Old Republic Insurance Company and Ognjen Milanovic, hereby give notice of the removal of the above-referenced action now pending in the District Court of

Canadian County, Oklahoma, to the United States District Court for the Western District of Oklahoma.

Respectfully submitted,

HL Motor Group, Inc. and Ognjen Milanovic,

By: /s/ Michael T. Franz

One of Defendants' Attorneys

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Date: August 27, 2022

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